



2326/29

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Douglas MONGEON
Serial No. : 09/589,499
Filed : June 7, 2000
For : ARTIFICIAL AIRWAY DEVICE AND METHOD OF ITS
USE
Art Unit : 3731
Examiner : Glenn Dawson

Address to:

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to : Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Date:

Signature:

Reg. No. 42,674

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner made in the Final Office Action dated September 27, 2006, finally rejecting claims 25 and 36.

Applicants also respectfully request a **three-month extension of time** in which to respond to the Final Office Action of September 27, 2005, for which a three month response period expiring on December 27, 2005, was set. The three-month extended period for response expires on March 27, 2006.

The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.191 Notice of Appeal fee of **\$500.00** (as well as the extension fee of **\$570.00** which is calculated as being the three-month extension fee of **\$1020.00** reduced by the previous payment of a two-month extension fee of **\$450.00** for the Reply Under 37 C.F.R. §1.116 filed February 21, 2006,) to the deposit account of **Kenyon & Kenyon LLP**, deposit account number **11-0600**.

The Commissioner is also authorized to charge any additional fees or credit any overpayment in connection with this paper to Deposit Account No. 11-0600.

A duplicate copy of this form is enclosed for charging purposes.

Dated: *March 27, 2006*
03/29/2006 MBIZUNES 00000076 110600 09589499

01 FC:1402 500.00 DA
02 FC:1253 570.00 DA

Adjustment date: 03/30/2006 MBIZUNES
03/29/2006 MBIZUNES 00000076 110600 09589499
01 FC:1402 500.00 CR

By:

Thomas C. Hughes (Reg. No. 42,674)

KENYON & KENYON LLP

One Broadway

New York, N.Y. 10004

(212) 425-7200 (telephone)

(212) 425-5288 (facsimile)

03/30/2006 MBIZUNES 00000003 110600 09589499

01 FC:1401 500.00 DA